

**Proposal 10-02 (P.R. 0175)**  
**Amends Supreme Court Rule 411**  
**Offered by attorney Scott A. Wineberg**

**Rule 411. Applicability of Discovery Rules**

These rules shall be applied in all criminal cases wherein the accused is charged with ~~an offense for which, upon conviction, he might be imprisoned in the penitentiary a felony, and all juvenile delinquency cases wherein the accused is charged with an offense that would be a felony if committed by an adult.~~ If the accused is charged with an offense for which, upon conviction, he might be sentenced to death, these rules shall be applied to the separate sentencing hearing provided for in section 9-1(d) of the Criminal Code of 1961 (720 ILCS 5/9-1(d)). They shall become applicable following indictment or information and shall not be operative prior to or in the course of any preliminary hearing.